

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHWEST ADMINISTRATORS, INC.,

Plaintiff,

v.

PEPSICO SALES, INC., a Delaware
corporation,

Defendants.

NO. 2:22-cv-00923-JCC

STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE

THE PARTIES above named, through their attorneys Russell J. Reid of Reid, McCarthy, Ballew & Leahy, L.L.P., attorneys for Plaintiff, and Molly Gabel of Seyfarth Shaw LLP, attorneys for Defendant, Pepsico Sales, Inc., hereby stipulate that the above-referenced action should be dismissed, with prejudice, and with each party bearing its own attorneys' fees and costs. This Stipulation shall not foreclose Plaintiff or the Trust, based on res judicata principles or other legal principles, from collecting additional contributions, liquidated damages, interest and attorneys' fees for the time period encompassed by this action, December 2021 through February 2022, if a future audit or some other source reveals that Defendant owes the Plaintiff additional amounts for said period, or from collecting contributions, liquidated

damages, interest, attorneys' fees and costs for any period other than December 2021 through February 2022.

DATED this 3rd day of March, 2023

REID, McCARTHY, BALLEW & LEAHY.
L.L.P.

SEYFARTH SHAW LLP

s/ Russell J. Reid

Russell J. Reid, WSBA #2560
100 West Harrison Street
North Tower, Suite 300
Seattle WA 98119
(206) 285-0464
Email: rjr@rmbllaw.com
Attorney for Plaintiff

s/ Molly Gabel

Molly Gabel, WSBA #47023
999 Third Avenue
Suite 4700
Seattle WA 98104
(206) 946-4910
Email: MGabel@seyfarth.com
Attorney for Defendant

ORDER OF DISMISSAL

Based on the foregoing Stipulation of Plaintiff and Defendant,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this action shall be and is hereby dismissed with prejudice and that each party shall bear its own attorneys' fees and costs of suit. This Order shall not foreclose Plaintiff or the Trust, based on res judicata principles or other legal principles, from collecting additional contributions, liquidated damages, interest and attorneys fees for the time period encompassed by this action, December 2021 through February 2022, if a future audit or some other source reveals that Defendant owes the Plaintiff additional amounts for said period, or from collecting contributions, liquidated

damages, interest, attorney's fees and costs for any period other than December 2021 through February 2022.

SO ORDERED this 3rd day of February 2023.

A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE

Submitted for Entry:

REID, McCARTHY, BALLEW & LEAHY, L.L.P.

By: s/ Russell J. Reid

Russell J. Reid, WSBA #2560
100 West Harrison Street, N. Tower, #300
Seattle WA 98119
Telephone: (206) 285-0464
Fax: (206) 285-8925
Email: rjr@rmbllaw.com
Attorney for Plaintiff